IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
WRIT PETITION NO.2797 OF 2005

Prathamesh Aquacalture Development
Pvt.Ltd. & anr. .. .. Petitioners
v/s.
Union of India & ors. .. .. Respondents

Mr.M.P. Rao i/by M/s.Chitnis Vaithy & Co. for petitioners.
Mr.M.I.Sethana with Mr.R.Ashokan for respondents.

CORAM : H.L. GOKHALE &
J.P. DEVADHAR, JJ.

DATED : 19th December 2005

P.C. :

1. Heard Mr.Rao in support of this Petition. Mr.Sethana appears for the respondents.

2. Rule. Rule is made returnable forthwith. Both the Counsel are heard. Mr.Sethana has no objection that the matter could be disposed of at the admission stage itself.

3. The short facts leading to this Petition are that the petitioners have purchased a property in auction. It was sold after the same was acquired under Chapter XX-C of the Income Tax Act, 1961. The petitioners have already paid the entire consideration of Rs.1,60,00,000/- and are also put in possession. Only the conveyance

remains to be carried out.

4. Mr.Rao appearing for the petitioners informs that a draft of the deed of conveyance has already been tendered to the respondents. Mr.Sethana, learned Counsel appearing for the respondents, accepts that there has been delay in the matter of executing the conveyance. He fairly states that if the Court gives the necessary directions, they will be carried out.

5. In the circumstances, we allow this Petition and direct the respondents to forthwith execute the deed of conveyance in terms of draft which has been handed over by the petitioners. They may, however, examine it from their point of view, if required. We make it clear that on an outer side the conveyance should be executed by end of March 2006.

6. Rule is made absolute as above. No order as to costs.

(H.L. GOKHALE, J.)

(J.P. DEVADHAR, J.)